# Missouri Health Information Organization

### **Board of Directors Meeting**

September 1, 2010 9:00 am – 1:00 pm CT Hilton Garden Inn Columbia, MO



## Agenda

Topic	Time
Welcome & Introduction	9:00 – 9:10 am
Housekeeping  • Approval of Board minutes  • Additional agenda items	9:10 – 9:20 am
<ul> <li>Governance</li> <li>Nominating Committee Report</li> <li>Bylaws</li> <li>Federal Employment ID Number</li> <li>Application for Tax Exempt Status</li> <li>HIO Insurance</li> <li>Draft Board Policies</li> <li>HIO President Search Update</li> <li>Future Board Meeting Locations</li> </ul>	9:20 – 10:30 am
HIT Assistance Center Update	10:30 – 10:45 am
EHR Incentive Program Update	10:45 – 11:00 am
Working Lunch	11:00 – 11:15 am
Workgroup Updates  • Technology & Operations  • Legal & Policy  • Consumer Advisory Council	11:15 am – 12:25 pm
HIO Contract	12:25 – 12:35 pm
Next Steps	12:35 – 12:45 pm
Public Comment	12:45 – 1:00 pm



## Housekeeping

10 minutes



## Housekeeping

- Approval of Board minutes (hard copies available)
- Additional Agenda items



## Governance

70 minutes



## **Nominating Committee Report**

- Nominating Committee Members
  - Steve Roling (Chair)
  - Tracy Godfrey, MD
  - Melissa Johnsen
  - Ron Levy
- The Nominating Committee met twice to discuss potential Board officers, taking into consideration balance and diversity among several criteria including:
  - Consumers
  - Providers Independent providers and hospitals
  - Gender and ethnic diversity
  - Geography Kansas City, St. Louis, Outstate



## **Nominating Committee Report**

### Recommended Board Officer slate

- Chair: Sandy Johnson
- Vice-Chair: David Weiss
- Secretary: Steve Roling
- Treasurer: Tracy Godfrey, MD

### Action Item: Approve slate of Board Officers



## **Bylaws**

- Changes incorporated following the August 4th meeting
- Highlights
  - Clarification around voting and non-voting Directors
  - The annual meeting of the Board will be during the last quarter of each year
  - Removed language around provider workgroups or advisory councils
  - Missouri Sunshine Law provision amended to read:
    - "In order to ensure the Organization's goals of transparency, accountability and openness, the Organization shall comply with the principles of Mo. Rev. Stat. Chapter 610, as amended, and the regulations promulgated pursuant thereto (collectively, "Chapter 610"), with respect to the following areas: (1) meetings of the Board, advisory councils, workgroups or other committees of the Board and votes, actions and deliberations of such groups; (2) financial records; and (3) procurement processes including solicitations, bids and results; provided that no action of the Organization can be invalidated or enjoined for having failed to abide by the provisions of Chapter 610; and provided further that neither the Organization nor any of its Directors, officers, employees or agents shall be liable for any monetary damages or civil fines or other penalties for violation of Chapter 610."



### Governance/Administrative Updates – Polsinelli Shugart

- Federal Employment ID Number Complete
  - Obtained on August 20, 2010
- Application for Tax Exempt Status In progress
  - Will likely be filed over the next week
- ➤ HIO Insurance In progress
  - Directors and Officers (D&O)
  - Errors and Omissions (E&O)
  - Recommended Broker: Lockton, Inc. (Kansas City)

Action Item: Approve broker selection; Authorize Executive Committee to proceed and obtain insurance



## Draft Board Policies – Polsinelli Shugart

### Conflicts of Interest Policy

- Purpose
  - Protect the Corporation's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a Covered Person or might result in a possible excess benefit transaction ("Proposed Transaction").
  - Provides procedures for identifying situations that represent potential conflicts of interest, determining whether a conflict of interest exists and if present, addressing such conflict of interest
- Policy
  - Duty to Disclose
  - Determining Whether a Conflict of Interest Exists
  - Procedures for Addressing the Conflict of Interest
  - Quorum for Board or Executive Committee Action
  - Violations of the Conflicts of Interest Policy
  - Documentation in Minutes



## Draft Board Policies – Polsinelli Shugart

#### Ethics & Whistleblower Policy

- Purpose
  - Encourage and enable Covered Individuals to report in good faith and within the Corporation, any conduct by the Corporation or any Covered Individual that constitutes:
    - A violation or suspected violation of law, rules or regulations mandated pursuant to law, or the Corporation's policies regarding or related to financial statement disclosures, accounting practices, internal accounting controls, or auditing matters;
    - the destruction, alteration, mutilation, concealment or falsification of any records or documents, or an attempt to do so, in violation of federal or state law or regulations;
    - a fraudulent, coerced, manipulating, or misleading influence over any independent public accountant engaged in the performance of an audit of the financial statements of the Corporation for the purpose of rendering such financial statements misleading; or
    - any other serious improper conduct (collectively, "Violations").
- Policy
  - Reporting Violation
  - Compliance Officer
  - Confidentiality
  - o Investigation, Corrective Action and Disciplinary Action
  - Accounting and Auditing Matters
  - Acting in Good Faith
  - Report to the Reporting Individual



## Draft Board Policies – Polsinelli Shugart

### Document Retention & Destruction Policy

- Purpose
  - Defines which Corporation records and documents must be retained for business, operational, legal, or other pertinent purposes, the Retention Period, and the prescribed destruction procedures in accordance with applicable law
- Policy
  - General Policy
  - Corporation Responsibility
  - Oversight, Annual Audit
  - Electronic Storage
  - Destruction of Records
  - Suspension of Policy Upon Event of Suspension
  - Enforcement

## Board Policies – Polsinelli Shugart

## Additional Policies (for future consideration)

- Joint Venture and Subsidiary Policy
- Executive Compensation Policy
- Expense Reimbursement Policy
- Fundraising Policy
- Gift Acceptance Policy
- Form 990 Review Policy
- Corporate Minutes Policy
- Endowment Policy
- Tax-Exempt Bond Policy



## HIO President Search Update – Candidate & Search Considerations

#### Candidate Considerations

- Physical location of Missouri HIO (Mid-Missouri?)
- Relocation requirement for candidate and candidate's family
- Candidate's experience and leadership qualities
- Candidate compensation including salary and bonus package
- Candidate's temperament and personality

#### Search Considerations

- Average timeline for a search is 3 4 months
- Average cost of a search is 30% of candidate's first year salary
- Potential identification of candidates through Board contacts with/without Search Firm
- Retainment of Search Firm to recruit additional staff
- Availability of Search Committee to work with Search Firm



## HIO President Search Update – Board Discussion

- What is the desired level of involvement among Board members in the search?
  - Search Committee
  - Executive Committee
  - Full Board
- Proposed next steps (for organizational purposes)
  - Retain firm
  - Search Committee to meet with selected firm to identify and recommend process
    - Applicant screening
    - Interviews
  - Executive Committee to approve search process
  - Full Board to approve final selection of President

Action Item: Authorization to hire Search Firm;
Appoint Search Committee

## **HIO Board Meeting Location**

- Securing future Board meeting location(s)
  - Columbia
  - Jefferson City (State facilities)



## HIT Assistance Center Update

15 minutes



## Missouri HIT Assistance Center



## Our Work...

- To help primary care providers and others...
  - Choose an EHR
  - Re-engineer office workflow
  - Implement an EHR and deal with vendors
  - Achieve "meaningful use"
- Goal: Help 1167 Priority Primary Care Providers achieve Meaningful Use by March, 2012

## Scope of Services

- Education and Training for ALL Providers
  - Continuing Education
- Vendor Selection and Group Purchasing
  - Group Purchasing
  - Referral to Vetted Vendors
  - Vendor Selection
- EHR Implementation and Project Management
- Practice Workflow Analysis and Redesign
  - Practice Readiness Assessment
  - Change Management
  - Workflow Re-Design
- Functional Interoperability and HIE
  - Resources for Health Information Exchange
- Help Providers Achieve "Meaningful Use"
  - Security Risk Analysis



## **Current Status**

- Final Revised Budget has been approved by ONC
- Nearly 700 Providers submitted "Letters of Interest"
- Identifying Pilot Sites by mid-September
- Vendor Selection process is underway, with vendor demos ongoing
- Multiple outreach events planned for the fall

## For More Information...

- WEB: www.ehrhelp.missouri.edu
- E-MAIL: ehrhelp@missouri.edu
- PHONE: 1-877-882-9933

## **EHR Incentive Program Update**

15 minutes



## **EHR Incentive Program Update**

- Provider census/Provider registry
- Provider survey
- State Medicaid HIT Plan
  - State Medicaid Director's Letter
- ONC-Authorized Testing and Certification Bodies (ATCBs)



## **Break & Working Lunch**

15 minutes



## Workgroup Updates

25 minutes each (75 minutes)



## Technology & Operations Workgroup Meeting Objectives – August 25<sup>th</sup>

- Establish Workgroup "ground rules" and expectations
  - Recurring meetings
  - Process for recommendations to Board
- Review Federal guidance received after the Operational Plan's submission and understand impact on Workgroup charge
  - Program Information Notice (PIN)
  - Meaningful Use final rule
  - ONC feedback on Operational Plan
- Make recommendations regarding
  - Approach to measure and track required measures
  - Amendment to Operational Plan
  - Approach to offering all eligible providers at least one path to meet Stage 1 Meaningful Use
  - Approach to move forward with RFP



## Technology & Operations Workgroup Workgroup Roster – *Proposed*

	Workgroup kosiei – Proposed							
Technology and Operations Workgroup - Draft Roster								
	Last	First	Title	Organization	Statewide	KC	STL	Rural
1	Calloway, RPh, BS Pharm	Steve	Vice-Chair, Public Policy Committee	Missouri Society of Healthplan Pharmacists	х			
2	Cardenas	Mitzi	Chief Information Officer & VP	Truman Medical Centers		х		
3	Dirks, MD	Carl	CMIO	Saint Luke's Health System		х		
4	McCrary, EdD. (RHIO)	Laura	Director of Regional Health Care Initiatives	Regional Health Care Initiative, Mid America Regional Council		х		
5	Mills	Pat		Missouri State Medical Association	х			
6	Plumlee	Vicki	Missouri Association of Rural Health Clinics	Elk River Health Services, Missouri Rural Health Association				х
7	Rogers	Theresa	Senior Vice President, Data and Information Services	Missouri Hospital Association	х			
8	Schaefer (RHIO)	Jane	Project Director	St. Louis Integrated Health Network			х	
9	Thompson (RHIO)	Helen	Chief Information Officer & CEO	Heartland Health & Lewis and Clark Information Exchange				х
10	Wilson, MBA	Susan	Chief Operating Officer, Director	Missouri Primary Care Association	х			
11	Young	Doug	Chief Information Officer	MO IT Services Division	х			
12	Yu, MD	Pele	CMIO	St. Louis Children's Hospital			х	
13	Consumer Representative		TBD					
	Board of Directors Particip	ants			State	KC	STL	Rural

Children's Mercy Hospital

Glover Craig Chief Information Officer Grace Hill Neighborhood Health

Johnsen Melissa Private Citizen

Weiss David Senior Vice President & Chief BJC HealthCare

Action Item: Approve Workgroup roster

Chief Medical Information Officer

Fitzmaurice, MD

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**17** M Laura

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## Technology & Operations Workgroup Workgroup Goals & Objectives

- Release of federal funding is contingent upon the approval of the Operational Plan
- The Technical & Operations Workgroup is charged with assisting the Missouri HIO to satisfy requirements under the State HIE Cooperative Agreement Program
- PIN Guidance New requirements released following the submission of the Operational Plan
  - Address measures or approaches to gather information to determine
    - % pharmacies accepting electronic prescriptions and refill requests
    - % clinical laboratories sending results electronically
    - o % health plans supporting electronic eligibility and claims transactions
    - % health departments receiving immunizations, syndromic surveillance, and notifiable laboratory results
  - Develop and implement a strategy and work plan to address the gaps in HIE capabilities (listed above)
  - Enable providers to have at least one option for:
    - E-prescribing
    - Receipt of structured lab results
    - Exchange of patient care summaries across unaffiliated organizations



## Technology & Operations Workgroup Meeting Report Environmental Scan & Gap Analysis

- Workgroup discussed a methodology to approach required environmental scan and gap analysis
- Where information is not readily available, the Workgroup proposed a draft approach to collecting baseline measures to satisfy immediate ONC requirements

Requirement	Known Data Source(s)	Potential Partners	Draft Approach
% pharmacies accepting electronic prescriptions and refill requests	<ul> <li>MO         HealthNet</li> <li>Surescripts</li> </ul> only - Not for distribution	<ul> <li>Surescripts</li> <li>Pharmacy         Association</li> <li>Pharmacy Board</li> </ul>	<ul> <li>Monitor and track via available Surescripts tools</li> <li>Validate and gap information with Pharmacy Association &amp; Board</li> <li>Document approach for baseline tracking</li> <li>Conduct baseline measurement</li> <li>Document mechanism to update and track measures on an ongoing manner</li> <li>Evolve approach as tools and information change</li> </ul>

## Technology & Operations Workgroup Meeting Report Environmental Scan & Gap Analysis (Contd.)

Requirement	Known Data Source(s)	Potential Partners	Draft Approach
% clinical laboratories sending results electronically	> MO HealthNet > DHSS	<ul><li>CMS &amp; CLIA</li><li>Labcorp</li><li>Quest</li><li>Boyce &amp; Bynum</li></ul>	<ul> <li>Define information to be collected and confirm with ONC (e.g. definition of a lab, health plan, health department</li> </ul>
% health plans supporting electronic eligibility and claims transactions	> MO HealthNet	<ul> <li>Commercial plans</li> <li>Department of Insurance</li> <li>Missouri Consolidated Health Plan</li> </ul>	<ul> <li>Establish criteria and approach for baseline tracking purposes</li> <li>Conduct baseline measurement</li> <li>Identify mechanism to update and track</li> </ul>
% health departments receiving immunization, syndromic surveillance, and notifiable lab results	> MO HealthNet > DHSS > DMH	> DHSS > DMH > DSS	measures  > Evolve approach as tools and information become available



## Technology & Operations Workgroup Meeting Report Supporting PIN while Pursuing Robust HIE Network

- The PIN requires the Missouri HIO to enable providers to have at least one option for:
  - E-prescribing
  - Receipt of structured lab results
  - Exchange of patient care summaries across unaffiliated organizations
- The Workgroup recommended convening a sub-committee
  - Charge
    - Understand and resolve conflicts and expectations between ONC's PIN guidance and the Stage 1 Meaningful Use Requirements
    - Identify mechanisms to meet clarified ONC expectations related to PIN guidance
      - Consider ability to leverage existing public or private infrastructure to support immediate PIN requirements
      - Develop a time and cost-conscious approach
    - Inform and draft RFP requirements based on identified mechanisms and report back to Workgroup
  - Sub-Committee Volunteers
    - Melissa Johnsen (Co-Chair) & Mitzi Cardenas (Co-Chair)
    - Laura McCrary, KC-BHIE
    - o Pat Mills, Missouri State Medical Association
    - George Oestreich, MO HealthNet
    - Theresa Rogers, Missouri Hospital Association
    - Susan Wilson, Missouri Primary Care Association



## Technology & Operations Workgroup Next Steps Timeline

Action	Timeline	Target – Week of		
Operational Plan & PIN Guidance				
Draft Operational Plan addendum addressing ONC feedback & PIN Guidance* *Contingent on receipt of ONC feedback/letter (expected Sept 6 <sup>th</sup> )	2 weeks	September 17 <sup>th*</sup>		
Solicit feedback on Operational Plan addendum (To be conducted in parallel with drafting)	2 weeks	September 17 <sup>th</sup>		
Share with ONC, Workgroup, and Board of Directors	1 week	September 24 <sup>th</sup>		
Request for Proposal				
Understand and resolve conflicts and expectations with ONC	2 weeks	Sept 10 <sup>th</sup>		
Gather input into core requirements	2 weeks	Sept 10 <sup>th</sup>		
Identify mechanisms to meet clarified ONC expectations related to PIN guidance	2 weeks	Sept 24 <sup>th</sup>		
Share mechanisms and draft requirements with workgroup	1 week	Sept 29 <sup>th</sup>		
Revise draft requirements and draft RFP	3 weeks	October 22 <sup>th</sup>		
Present draft requirements to Workgroup	1 week	October 27 <sup>th</sup>		
Revise draft requirements for presentation to Board	1 week	November 3 <sup>rd</sup>		
Incorporate Board input via sub-committee a seek Board Approval	1 week	November 12 <sup>th</sup>		
Publish RFP to vendor community	1 weeks	November 15 <sup>th</sup>		
Convene Board Committee to review RFPs	2 weeks	December 10st		
Conduct due diligence, site visits, interviews with finalists	3 weeks	January 3 <sup>rd</sup>		
Select awardee	1 week	January 10 <sup>th</sup>		
Finalize contract and begin implementation	2 weeks	January 24 <sup>th</sup>		
Next Workgroup Meeting		September 29 <sup>th</sup>		



## Legal & Policy Workgroup Meeting Objectives – August 31st

- Establish Workgroup "ground rules" and expectations
  - Recurring meetings
  - Process for recommendations to Board
- Understand recent/anticipated Federal guidance, "gaps" in Federal guidance, and impact on Workgroup charge
  - Privacy & Security Tiger Team
  - Federal policy guidance inventory and gap analysis
- Review draft privacy policies and make recommendations regarding
  - Consent
  - Enrollment
  - Revocation of patient consent
  - Authorized emergency access
  - Use and disclosure of health information
  - Patient rights related to exchange of health information
  - Minimum necessary access
  - Privacy complaints



# **Technology & Operations Workgroup**

Attorney

General Counsel

Chief Executive Officer

Deputy General Counsel & DMH

Senior VP & General Counsel

Interim Dean & Professor

Emerita of Law and Health Care

**Privacy Officer** 

**Privacy Officer** 

**General Counsel** 

Governor's Staff

**Executive Director** 

**General Counsel** 

President & CFO

Professor

Director

**Ethics** 

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Hammons

Jacobsen

Johnson-Javois

Howell

Manda

McAdams

Morrow, JD

Parasidis, JD

Nelson

Sill

Skala

Stilabower

Donnelly

Johnson, JD

Wilson PhD

Taylor-Williams

**HIO Board of Directors Participants** 

John

Jeff

Joy

Jim

Bethany

Melissa

Joanne

Efthimios

Gerald

Mahree

Jennifer

Ramona

Margaret

Sandra

Karl

Doug

Workgr	oup	Roster – Propos	sed
Last	First	Title	Organization
Ellis	Jeff		Spencer Fane
Gronowski	Scott	Director of Legal Services	BJC HealthCare
Gutchen	Mark	Legal Counsel	Department of Social Service

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Ellis, Ellis, Hammons & Johnson, P.C.

Missouri State Medical Association

St. Louis Integrated Health Network

Legal Services of Eastern Missouri

St. Louis University School of Law, Center for Health

Missouri Association of Local Public Health Agencies

Metro St. Louis Coalition for Inclusion and Equity

Missouri Department of Health & Senior Services

Department of Health and Senior Services

Department of Insurance

Office of the Governor

Missouri Hospital Association

St. Louis University School of Law

Crider Health Center

**Action Item: Approve Workgroup roster** 

Missouri Department of Mental Health

CareEntrust

Law Studies

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## **Draft Privacy Policies**

- The Workgroup reviewed draft content that will inform the first draft of privacy policies to be distributed to the Workgroup for its review
  - Consent Policy
  - Enrollment Policy
  - Revocation of Patent Consent Policy
  - Authorized Emergency Access Policy
  - Use and Disclosure of Health Information Policy
  - Patient Rights Related to Exchanged Health Information
  - Minimum Necessary Access
  - Privacy Complaints Policy



## Legal & Policy Workgroup Goals & Upcoming Meetings Four Month Workplan – DRAFT

Month	Goals
September	>Privacy Policy
	•Review Policy outline and initial draft
	<ul> <li>Collect feedback on provisions to be incorporated</li> </ul>
	▶Patient Consent Form – Discuss Content
	▶ Policy Discussion re Types of Authorized Uses/Users
	<ul> <li>Uses: quality improvement and reporting; quality assurance; cost transparency; development of personal health records; disease management and care coordination; research – identifiable and de-identified health information; marketing; and the aggregation of public health data [Suggest reserving discussion around use for research purposes until the October meeting]</li> </ul>
	<ul><li>Users: providers; consumers; payors; researchers; and public health agencies</li></ul>
October	> Privacy Policy – Review revised policy, collect feedback, and update Policy Working Draft
	> Wrap up Policy Discussion re Types of Authorized Uses/Users
	> Begin Discussion re inclusion of minor's information
	> Begin Discussion re excluding certain types of specially protected information
November	> Privacy Policy – Finalize Privacy Policy for presentation to the Board
	>Security Policy - Review Policy Outline and Initial Draft
	> Breach/Compliance/Sanctions Policy – Review Policy Outline and Initial Draft
	>Wrap up discussions re: inclusion of minor's information and the exclusion of certain types of specially
	protected information
December	>Security Policy - Finalize Security Policy for presentation to the Board
	> Breach/Compliance/Sanctions Policy – Finalize Policy
	> Record Retention Policy
	> Discuss interstate exchange and coordination and collaboration efforts
	> Discuss ways to improve provider/consumer engagement, outreach, and training
	7 Discoss Ways to improve provider, consoliter engagement, concach, and halling

SOLUTIONS

## **Consumer Advisory Council Update**

- Board "Formative" Committee
  - Andrea Routh (Chair)
  - Kim Day
  - Margaret Donnelly
  - Karen Edison
- The Committee met to review and discuss the Consumer Advisory Council's membership, considering
  - Stakeholder representation and perspectives
  - Geography
  - Gender and racial diversity



## Consumer Advisory Council Update

#### > Draft roster includes representation from stakeholders representing:

- Health care foundations
- County health departments
- Employers
- Health literacy organizations
- Public health
- State of Missouri
- Planned Parenthood
- Health advocacy organizations
- Legal counsel
- Private citizens/individual consumers
- Community action agencies
- Diverse geography Kansas City, St. Louis, Outstate, Southwest Missouri

#### Additional perspectives desired include:

- Mental health
- LGBT community
- Faith alliance
- HIV/AIDS community

#### Next Steps

- Update and finalize roster
- Extend invitations and convene Council
  - Suggested agenda topics?



## **HIO – State Contract**

15 minutes



## **HIO – State Contract Update**

- > The contract is under revision with state counsel
- Polsinelli conflict waiver is under review with state counsel
- The contract will be shared with the Board in advance of the next Board meeting
- Contract Outline
  - Introduction and General Information
  - Purpose and Background
  - General Requirements
  - Strategic Requirements
  - Technical Services
  - Finance
  - Program Reporting Requirements
  - Invoicing and Payment Requirements
  - Other Contractual Requirements
  - Confidentiality
  - Federal Funds Requirements
  - Debarment Certification
  - Business Compliance
  - Business Associate Provisions



## **Next Steps**

15 minutes



## **Next Steps**

### Upcoming meetings

Board of Directors – First Wednesday of the month

Next meeting: October 6<sup>th</sup> 9:00 am – 1:00 pm, Location TBA

**Question – November meeting date** 

- Technology & Operations Workgroup
   Last Wednesday of every month
   Next meeting: September 29<sup>th</sup>, 11:30 am 1:00 pm
- Legal & Policy Workgroup
   Recurring meeting date to be confirmed shortly
- For information please visit the MO-HITECH website http://dss.mo.gov/hie while a website for the Missouri HIO is under development
  - Meaningful Use webinar slides are available
- Questions, feedback? Please email kwallis@manatt.com

